

468.13 Procedure on report — classification.

1. Upon the filing of the report of the engineer recommending the establishment of the levee or drainage district, the board shall at its first regular, adjourned, or special meeting examine and consider the same, and, if the plan is not approved the board may employ the same engineer or another disinterested engineer to report another plan or make additional examination and surveys and file an additional report covering such matters as the board may direct. Additional surveys and reports must be made in accordance with the provisions of [sections 468.11](#) and [468.12](#). At any time prior to the final adoption of the plans they may be amended, and as finally adopted by the board shall be conclusive unless the action of the board in finally adopting them shall be appealed from as hereinafter provided.

2. If the petition or other landowners requested a classification of the district prior to establishment, the board shall order a classification as provided by [sections 468.38 through 468.44](#) after they have approved the report of the engineer as a tentative plan. The notice of hearing provided by [section 468.14](#) shall also include the requirements of the notice of hearing provided in [section 468.45](#) as to this classification, and the hearing on the petition provided in [section 468.21](#) shall also include the matters to be heard as provided in [section 468.46](#).

3. If the board establishes the district as provided in [section 468.22](#), the classification which is finally approved at the hearing by the board shall remain the basis of all future assessments for the purposes of said district as provided in [section 468.49](#). The landowners shall have the same right of appeal from this classification as they would have if the petition had not requested a classification prior to establishment and the classification had been made after establishment.

[S13, §1989-a3; C24, 27, 31, 35, 39, §7439; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §455.19]

[89 Acts, ch 126, §2](#)

CS89, §468.13

[2016 Acts, ch 1011, §81](#)

Section amended